APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/332,050	06/14/1999	JAN HOLLER	2466-29	2451

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EXAMINER
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ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed .
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 01 July 2004.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-52* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-37 have been considered but are moot in

view of the new ground(s) of rejection.

Response to Amendment

2.   This action is in response to the amendment filed on 7/1/04. Claims 1-52 are pending in

the application.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-11 and 13-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Christie (USP 6081525).

Regarding claims 1-6 and 49, Christie discloses (Figs 1-16 and col. 1, line 20 and col. 24,

lines 32) a telecommunication communication network comprising an ATM network comprising

means connected to the ATM network for identifying a telephone call which enters the ATM

network at an entry port (Fig 2, Ref 250 for using to identifying a incoming telephone call),

means for identifying an exit port in the ATM network through which the call is to exit (Fig 2,

Ref 250 for using to select a virtual connection for using to establish a communication path

between a source and destination) and means for emulating a switch which providing STM

resource for virtual STM connection, the STM connection being used for returning an address of

the exit port to entry port or for forwarding an address of the entry port to the exit port (Fig 2,

Ref 250, col. 7, lines 50-67, col. 8, lines 11-42; col. 10, lines 61 to col. 11, lines 22, col.12, lines

5-18 the VCI/VPIs are exchanging via the CCMs for using to establish a communication path

between the ATM MUXes via ATM network) and means connected to the means for identifying

the exit port and to an STM switch to emulate an STM connection to the STM switch (Fig 2, Ref

250 which does not control the ATM switching) and means for establishing a new switched

connection through the ATM network for each new telephone call by using ATM signaling (Col.

5, lines 37-52, a virtual connection is established based on a call by call basic) and information

for call identification is sent together with the address in order to correlate the address with the

voice connection (Col. 11, line 47 to col. 12, lines, the VCI and DS0 are correlated in order to

forward the voice connection). However, Christie fails to fully disclose a method and system for

using the address of entry and exit ports for establishing a connection between the ATM switch

in order to switch the call directly through the ATM network. In the same field of endeavor,

Civanlar discloses a method and system comprising a plurality of switch emulators (Fig 2, Ref

NHS) for setup a path between the entry and exist port of the ATM network, using this path to

forwarding the address of destination to the entry port for using this address to establish a

physical channel via the ATM network for transmitting information (See Fig 2, Col. 4, lines 19-

42 which discloses a method and system for establishing a cut through path between the host by

forward or return the address of host).

Since, Christie suggests that after receiving ANM (answer message) has been received by

the signaling processor, the cells will be transmitted via a cut through path of ATM network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply the emulator switch for establishing a path between the source and

destination port of the ATM network for exchanging the information such address of the entry

and exit port as disclosed by Civanlar's system onto Christie's system. The motivation would

have been to reduce the delay of voice call.

Regarding claim 7-11, 13-23, 36-37, 50 and 52, Christie discloses (Figs 1-16 and col. 1,

line 20 and col. 24, lines 32) a telecommunication network comprising a narrowband switch in

the STM network (Fig 2, Ref 210) which receives a call setup request for a call, make a request

for routing of the call setup request so that the call can be routed to a final destination; plurality

of switch emulators (Fig 2, Ref 250 which does not control the ATM switching) which responses

to the request for routing of the call setup set request, establish an emulation connection between

an ATM network (Fig 2, Ref 230) entry port of first broadband terminal and an ATM network

entry port of second broadband terminal, the emulated connection being used for sending an

address of ATM network exit port to the ATM network entry port or an address of ATM

network entry port to the ATM network exit port, information to ATM entry port of ATM

network which divided into plurality of switching domains (source and destination domain, Fig

2, Ref 250, col. 7, lines 50-67, col. 8, lines 11-42; col. 10, lines 61 to col. 11, lines 22, col.12,

lines 5-18 the VCI/VPIs are exchanging via the CCMs for using to establish a communication

path between the ATM MUXes via ATM network) wherein each of switching domain is

equipped with one switch emulator wherein call control procedures of the STM are carried

transparently between the narrowband terminals in the STM network through ATM network;

wherein the first and second broadband terminals (Fig 5, Ref 526 and 530 for translating between

STM and ATM mode) handle inter-working of voice transport circuits to ATM transport.

However, Christie fails to fully disclose a method and system for using the address of entry and

exit ports for establishing a connection between the ATM switch in order to switch the call

directly through the ATM network. In the same field of endeavor, Civanlar discloses a method

and system comprising a plurality of switch emulators (Fig 2, Ref NHS) for setup a path between

the entry and exist port of the ATM network, using this path to forwarding the address of

destination to the entry port for using this address to establish a physical channel via the ATM

network for transmitting information (See Fig 2, Col. 4, lines 19-42 which discloses a method

and system for establishing a cut through path between the host by forward or return the address

of host).

Since, Christie suggests that after receiving ANM (answer message) has been received by

the signaling processor, the cells will be transmitted via a cut through path of ATM network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply the emulator switch for establishing a path between the source and

destination port of the ATM network for exchanging the information such address of the entry

and exit port as disclosed by Civanlar's system onto Christie's system. The motivation would

have been to reduce the delay of voice call.

Regarding claims 24-35, 38-48 and 52, Christie discloses (Figs 1-16 and col. 1, line 20

and col. 24, lines 32) a telecommunication network comprising STM network (Fig 2, Ref 210)

having plural narrowband switches and a logical unit (Fig 2, Ref 250), connected between

narrowband switches and ATM network (Fig 2, Ref 283), identifies an address of the ATM

network exit port, emulating a virtual connection provided to the narrowband switches, also

returning over the virtual connection, to a ATM network entry port, information is address of

ATM network exit port to the ATM network entry port or an address of ATM network entry port

to the ATM network exit port which divided into plurality of switching domains (Source and

destination domain, Fig 2, Ref 250, col. 7, lines 50-67, col. 8, lines 11-42; col. 10, lines 61 to col.

11, lines 22, col.12, lines 5-18 the VCI/VPIs are exchanging via the CCMs for using to establish

a communication path between the ATM MUXes via ATM network) wherein each of switching

domain is equipped with one switch emulator (Fig 2, Ref 250 which does not control the ATM

switching and triggered by STM network) wherein call control procedures of the STM are

carried transparently (Col. 11, lines 4-22) between the narrowband terminals (Fig 5, Ref 510 and

516) in the STM network through ATM network; wherein the first and second broadband

terminals (Fig 5, Ref 526 and 530 for translating between STM and ATM mode) handle inter-

working of voice transport circuits to ATM transport. However, Christie fails to fully disclose a

method and system for using the address of entry and exit ports for establishing a connection

between the ATM switch in order to switch the call directly through the ATM network. In the

same field of endeavor, Civanlar discloses a method and system comprising a plurality of switch

emulators (Fig 2, Ref NHS) for setup a path between the entry and exist port of the ATM

network, using this path to forwarding the address of destination to the entry port for using this

address to establish a physical channel via the ATM network for transmitting information (See

Fig 2, Col. 4, lines 19-42 which discloses a method and system for establishing a cut through

path between the host by forward or return the address of host).

Since, Christie suggests that after receiving ANM (answer message) has been received by

the signaling processor, the cells will be transmitted via a cut through path of ATM network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply the emulator switch for establishing a path between the source and

destination port of the ATM network for exchanging the information such address of the entry

and exit port as disclosed by Civanlar's system onto Christie's system. The motivation would

have been to reduce the delay of voice call.

5.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christie and

Civanlar as applied to claim 36 above, and further in view of Nakagaki (USP 5425295).

Christie and Civanlar fail to disclose the claimed invention. In the same field of endeavor,

Nakagaki discloses means for deciding if an already existing connection via the ATM network is

to be used or if a new ATM connection is to be established (Fig 12, the telephone call is setup by

ATM signaling and determined that if the old connect is disconnected by timer or not if yes

establishing a new connection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply a method for setup a telephone call via ATM network by using

ATM signaling and determined if an old connection existed or not as disclosed by Nakagaki's

system into the system of Christie and Civanlar. The motivation would have been to allocate a

band for a telephone call.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159.

The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Huy D Vu can be reached on (571) 272-3155. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven HD Nguyen
Primary Examiner
Art Unit 2665
9/23/04